



A P P E N D I X .

Sections 6, 7(a), and 16, Fair Labor Standards Act of 1938, 29 U. S. C. A. 201, *et seq.*, are as follows:

“§206 (§6). *Minimum Wages.* (a) Every employer shall pay to each of his employees who is engaged in commerce or in the production of goods for commerce wages at the following rates—

(1) during the first year from the effective date of this section, not less than 25 cents an hour,

(2) during the next six years from such date, not less than 30 cents an hour,

(3) after the expiration of seven years from such date, not less than 40 cents an hour, or the rate (not less than 30 cents an hour) prescribed in the applicable order of the Administrator issued under Section 8, whichever is lower, and

(4) at any time after the effective date of this section, not less than the rate (not in excess of 40 cents an hour) prescribed in the applicable order of the Administrator issued under Section 8.

(b) This section shall take effect upon the expiration of one hundred and twenty days from the date of enactment of this Act. (June 25, 1938, c. 676, §6, 52 Stat. 1062.)”

“§207 (§7). *Maximum Hours.* (a) No employer shall, except as otherwise provided in this section, employ any of his employees who is engaged in commerce or in the production of goods for commerce—

(1) for a workweek longer than forty-four hours during the first year from the effective date of this section,

(2) for a workweek longer than forty-two hours during the second year from such date, or

(3) for a workweek longer than forty hours after the expiration of the second year from such date,

unless such employee receives compensation for his em-

[APPENDIX]

ployment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

(b) * * *.

(c) * * *."

"§216 (§16). *Penalties.* (a) Any person who willfully violates any of the provisions of Section 15 shall upon conviction thereof be subject to a fine of not more than \$10,000, or to imprisonment for not more than six months, or both. No person shall be imprisoned under this subsection except for an offense committed after the conviction of such person for a prior offense under this subsection.

(b) Any employer who violates the provisions of Section 6 or Section 7 of this Act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated. The court in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fees to be paid by the defendant, and costs of the action. (June 25, 1938, c. 676, § 16, 52 Stat. 1069.)"

Section 28 U. S. C. 725 is as follows:

"725. *Laws of States as Rules of Decision*—The laws of the several states, except where the Constitution, treaties, or statutes of the United States otherwise require or provide, shall be regarded as rules of decision in trials at common law, in the courts of the United States, in cases where they apply. (R. S., § 721.)"

